

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

EDGAR ALAN VILLALOBOS,
Plaintiff,

v.

NISSAN NORTH AMERICA, INC.,

Defendant.

Case No. 2:22-cv-07553-SB-JPR

ORDER TO SHOW CAUSE RE:
LACK OF PROSECUTION

The complaint in this case was filed on October 17, 2022. Dkt. No. [1](#). Plaintiff filed proof that Defendant Nissan North America, Inc. waived service of a summons on October 26, 2022. A responsive pleading was due on December 25, 2022. Fed. R. Civ. P. 4(d)(3) (“A defendant who . . . timely returns a waiver need not serve an answer to the complaint until 60 days after the request was sent”). No response has been filed, and Plaintiff has not sought entry of default or default judgment in this matter. Plaintiff is ordered to show cause, in writing, no later than January 9, 2023, why this action should not be dismissed for lack of prosecution.

The Court will consider as an appropriate response to this Order to Show Cause the filing, on or before the above date, of an application for entry of default under Rule 55(a). No oral argument on this matter will be heard unless otherwise ordered by the Court. See Fed. R. Civ. P. [78](#); Local Rule [7-15](#).

Upon receipt of the remedy mentioned above, this Order to Show Cause will be automatically discharged without further order. Failure to respond to the Order to Show Cause will result in the dismissal without prejudice of the action in its entirety.

IT IS SO ORDERED.

Date: December 29, 2022



Stanley Blumenfeld, Jr.
United States District Judge